

Amendment No. 1 to HB0574

McManus
Signature of Sponsor

AMEND Senate Bill No. 598

House Bill No. 574*

by deleting § 65-5-302(b) in Section 1 in its entirety and by substituting instead the following:

(b) Notwithstanding any law to the contrary and consistent with this part, any entity that provides switched access service shall be prohibited from imposing intrastate switched access charges that exceed the interstate switched access charges imposed by the entity, and shall utilize the same rate structure for the provision of intrastate switched access service that the entity uses for the provision of interstate switched access service; provided, however:

(1) Until such time as rules governing the funding of the Tennessee relay service have been promulgated and have taken effect pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and § 65-21-115, an entity may include in its intrastate switched access charges as a separate intrastate switched access rate element an additur established by the Tennessee regulatory authority for the purpose of maintaining the Tennessee relay service consistent with § 65-21-115, such amount not to exceed the additur established as of the effective date of this act;

(2) Any entity that, as of the effective date of this act, is imposing intrastate switched access charges that, on an average per minute basis, are higher than the average per minute interstate switched access charges imposed by the entity, shall, no later than April 1, 2012:

(A) Establish an intrastate switched access rate structure that is the same as its interstate switched access rate structure; and

(B) Implement revised intrastate switched access charges to effectuate a reduction of at least twenty percent (20%) in the difference between the average per minute intrastate switched access rate in effect for the entity on the effective

date of this act and the average per minute interstate switched access rate in effect for the entity on the effective date of this act;

(3) Any entity effectuating a reduction in its intrastate switched access rates pursuant to subdivision (b)(2) shall, on or before April 1, 2013, implement revised intrastate switched access charges to effectuate a reduction of at least forty percent (40%) in the difference between the average per minute intrastate switched access rate in effect for the entity on the effective date of this act and the average per minute interstate switched access rate in effect for entity on the effective date of this act;

(4) Any entity effectuating a reduction in its intrastate switched access rates pursuant to subdivision (b)(2) shall, on or before the April 1, 2014, implement revised intrastate switched access charges to effectuate a reduction of at least sixty percent (60%) in the difference between the average per minute intrastate switched access rate in effect for the entity on the effective date of this act and the average per minute interstate switched access rate in effect for the entity on the effective date of this act;

(5) Any entity effectuating a reduction in its intrastate switched access rates pursuant to subdivision (b)(2) shall, on or before April 1, 2015, implement revised intrastate switched access charges to effectuate a reduction of at least eighty percent (80%) in the difference between the average per minute intrastate switched access rate in effect for the entity on the effective date of this act and the average per minute interstate switched access rate in effect for the entity on the effective date of this act; and

(6) Any entity effectuating a reduction in its intrastate switched access rates pursuant to subdivision (b)(2) shall, on or before April 1, 2016, implement revised intrastate switched access charges that do not exceed the interstate switched access charges imposed by the entity.

AND FURTHER AMEND by deleting § 65-5-302(c) in Section 1 in its entirety and by substituting instead the following language:

(c) An entity that implements an increase in an intrastate switched access rate element between February 1, 2011 and April 1, 2012, and that is transitioning its intrastate access rates as provided in subdivisions (b)(2)-(6), shall reduce such intrastate switched access rate element to the rate in effect on January 31, 2011 no later than April 1, 2012, and shall effectuate the reductions required by subdivisions (b)(2)-(6) using the average per minute intrastate switched access rate in effect for the entity on January 31, 2011, instead of the average per minute intrastate switched access rate in effect for the entity on the effective date of this act.

AND FURTHER AMEND by deleting the language "the fourth anniversary after the effective date of this act" in § 65-5-302(f) in Section 1 and by substituting instead the language "April 1, 2016,".

AND FURTHER AMEND by deleting the language "sixty (60) days following the effective date of this act" in § 65-5-302(g) in Section 1 and by substituting instead the language "April 1, 2012".